

**COURT OF APPEALS  
DECISION  
DATED AND FILED**

**February 10, 2015**

Diane M. Fremgen  
Clerk of Court of Appeals

**NOTICE**

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

**Appeal No. 2013AP2221**

**Cir. Ct. No. 2013CV7191**

**STATE OF WISCONSIN**

**IN COURT OF APPEALS  
DISTRICT I**

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**STATE OF WISCONSIN EX REL. GLENN M. DAVIS,**

**PETITIONER-APPELLANT,**

**v.**

**STATE OF WISCONSIN,**

**RESPONDENT-RESPONDENT.**

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APPEAL from an order of the circuit court for Milwaukee County:  
WILLIAM SOSNAY, Judge. *Affirmed.*

Before Kessler and Brennan, JJ., and Thomas Cane, Reserve Judge.

¶1 PER CURIAM. Glenn M. Davis, *pro se*, appeals an order of the circuit court denying his petition for a writ of *habeas corpus*. The circuit court determined that the petition was deficient. We affirm the order.

¶2 In 1997, Davis was, according to his appellate brief, charged with first-degree sexual assault of a child. Davis also references a charge of repeated sexual assault of a child, although it is unclear whether that was an amendment or an addition to the original charge. Electronic docket entries for Davis’s 1997 case appear to indicate that he entered no-contest pleas to four counts of third-degree sexual assault, contrary to WIS. STAT. § 940.225(3) (1997-98). Whatever Davis’s sentence was, he was eventually released to parole.

¶3 On June 2, 2012, Davis filed a motion to withdraw his plea in the 1997 case.<sup>1</sup> The circuit court, by the Honorable Timothy G. Dugan, denied the motion. Davis moved for reconsideration, which was denied on August 8, 2012. On August 7, 2012, Davis was taken into custody for a parole violation, and Davis claims that his parole agent took his glasses, which prevented him from timely filing a notice of appeal as to Judge Dugan’s order denying reconsideration.

¶4 On August 13, 2013, Davis filed a “Notice of Motion and Motion of Writ of Habeas Corpus.” A petition for a writ of *habeas corpus* commences a civil proceeding in which the petitioner claims an illegal denial or restraint of his or her liberty, *see State ex rel. Coleman v. McCaughtry*, 2006 WI 49, ¶18, 290 Wis. 2d 352, 714 N.W.2d 900, so the circuit court assigned Davis’s petition a new civil case file number.

¶5 The circuit court, by the Honorable William Sosnay, then denied the petition, explaining that it failed to meet the necessary pleading standards. In particular, the petition failed to show Davis was being restrained contrary to

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<sup>1</sup> This was not Davis’s first attempt at relief in that case. According to electronic docket entries, Davis made at least five prior motions for postconviction relief.

constitutional protections—Davis admitted he was restrained because of a parole violation, which he was not challenging, so the restraint on his liberty came from the violation and not his inability to appeal Judge Dugan’s order. The petition was also not properly verified as required by WIS. STAT. § 782.04 (2011-12). Davis appealed, claiming in the notice of appeal that “the original intent was to have to court to withdraw Mr. Davis’s Plea agreement” and that he “did not file a writ of habeas corpus.”

¶6 On appeal, Davis argues only about plea withdrawal in the criminal case. He makes no argument to show that the circuit court erred in this case, either in treating his document as a petition for a writ of *habeas corpus* as captioned or in denying the petition. We do not consider inadequately briefed issues, *see State v. Pettit*, 171 Wis. 2d 627, 646, 492 N.W.2d 633 (Ct. App. 1992), nor will we develop an argument for Davis, *see Industrial Risk Insurers v. American Eng’g Testing, Inc.*, 2009 WI App 62, ¶25, 318 Wis. 2d 148, 769 N.W.2d 82. Therefore, we must affirm the circuit court.<sup>2</sup>

*By the Court.*—Order affirmed.

This opinion shall not be published. *See* WIS. STAT. RULE 809.23(1)(b)5. (2011-12).

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<sup>2</sup> To the extent that Davis is attempting to litigate issues regarding plea withdrawal, we note the following. Electronic docket entries for the original criminal case show that Davis filed another motion for plea withdrawal on August 21, 2013. That motion was denied on August 26, 2013. Davis filed a notice of appeal in that case on October 8, 2013, commencing appeal No. 2013AP2249. However, that appeal was dismissed by order dated June 5, 2014, because Davis failed to file an appellate brief after multiple extensions and warnings. Davis cannot use this appeal to litigate issues that could have been raised in his other appeal.

